

**A DEFENDANT'S PAYMENT OF COSTS ASSOCIATED WITH A  
COURT-APPOINTED COUNSEL****CHAPTER 554**

S.B. No. 527

**AN ACT****relating to a defendant's payment of costs associated with a court-appointed counsel.***Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Article 26.05, Code of Criminal Procedure, is amended by adding Subsection (g-1) to read as follows:

*(g-1)(1) This subsection applies only to a defendant who at the time of sentencing to confinement or placement on community supervision, including deferred adjudication community supervision, did not have the financial resources to pay the maximum amount described by Subsection (g)(1) or (2), as applicable, for legal services provided to the defendant.*

*(2) At any time during a defendant's sentence of confinement or period of community supervision, the judge, after providing written notice to the defendant and an opportunity for the defendant to present information relevant to the defendant's ability to pay, may order a defendant to whom this subsection applies to pay any unpaid portion of the amount described by Subsection (g)(1) or (2), as applicable, if the judge determines that the defendant has the financial resources to pay the additional portion.*

*(3) The judge may amend an order entered under Subdivision (2) if, subsequent to the judge's determination under that subdivision, the judge determines that the defendant is indigent or demonstrates an inability to pay the amount ordered.*

*(4) In making a determination under this subsection, the judge may only consider the information a court or courts' designee is authorized to consider in making an indigency determination under Article 26.04(m).*

*(5) Notwithstanding any other law, the judge may not revoke or extend the defendant's period of community supervision solely to collect the amount the defendant has been ordered to pay under this subsection.*

**SECTION 2.** This Act takes effect September 1, 2017.

Passed the Senate on May 2, 2017: Yeas 31, Nays 0; May 15, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 19, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 1; passed the House, with amendments, on May 9, 2017: Yeas 146, Nays 0, one present not voting; May 19, 2017, House granted request of the Senate for appointment of Conference Committee; May 25, 2017, House adopted Conference Committee Report by the following vote: Yeas 145, Nays 0, one present not voting.

Approved June 9, 2017.

Effective September 1, 2017.

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**INFORMATION COLLECTED ABOUT AND PURCHASES OF  
INFORMATION TECHNOLOGY BY GOVERNMENTAL  
ENTITIES****CHAPTER 555**

S.B. No. 532

**AN ACT****relating to information collected about and purchases of information technology by governmental entities.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 552.139, Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) The following information is confidential:

(1) a computer network vulnerability report;

(2) any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system interface, or software of a governmental body or of a contractor of a governmental body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the governmental body's or contractor's electronically stored information containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use; ~~and~~

(3) a photocopy or other copy of an identification badge issued to an official or employee of a governmental body; *and*

(4) *information directly arising from a governmental body's routine efforts to prevent, detect, investigate, or mitigate a computer security incident, including information contained in or derived from an information security log.*

*(b-1) Subsection (b)(4) does not affect the notification requirements related to a breach of system security as defined by Section 521.053, Business & Commerce Code.*

SECTION 2. Subchapter C, Chapter 2054, Government Code, is amended by adding Section 2054.068 to read as follows:

*Sec. 2054.068. INFORMATION TECHNOLOGY INFRASTRUCTURE REPORT.*

*(a) In this section, "information technology" includes information resources and information resources technologies.*

*(b) The department shall collect from each state agency information on the status and condition of the agency's information technology infrastructure, including information regarding:*

*(1) the agency's information security program;*

*(2) an inventory of the agency's servers, mainframes, cloud services, and other information technology equipment;*

*(3) identification of vendors that operate and manage the agency's information technology infrastructure; and*

*(4) any additional related information requested by the department.*

*(c) A state agency shall provide the information required by Subsection (b) to the department according to a schedule determined by the department.*

*(d) Not later than November 15 of each even-numbered year, the department shall submit to the governor, chair of the house appropriations committee, chair of the senate finance committee, speaker of the house of representatives, lieutenant governor, and staff of the Legislative Budget Board a consolidated report of the information submitted by state agencies under Subsection (b).*

*(e) The consolidated report required by Subsection (d) must:*

*(1) include an analysis and assessment of each state agency's security and operational risks; and*

*(2) for a state agency found to be at higher security and operational risks, include a detailed analysis of, and an estimate of the costs to implement, the:*

*(A) requirements for the agency to address the risks and related vulnerabilities; and*

*(B) agency's efforts to address the risks through the:*

*(i) modernization of information technology systems;*

*(ii) use of cloud services; and*

*(iii) use of a statewide technology center established by the department.*

(f) *With the exception of information that is confidential under Chapter 552, including Section 552.139, or other state or federal law, the consolidated report submitted under Subsection (d) is public information and must be released or made available to the public on request. A governmental body as defined by Section 552.003 may withhold information confidential under Chapter 552, including Section 552.139, or other state or federal law that is contained in a consolidated report released under this subsection without the necessity of requesting a decision from the attorney general under Subchapter G, Chapter 552.*

(g) *This section does not apply to an institution of higher education or university system, as defined by Section 61.003, Education Code.*

SECTION 3. Section 2054.0965(a), Government Code, is amended to read as follows:

(a) Not later than *March 31* ~~[December 1]~~ of each *even-numbered* ~~[odd-numbered]~~ year, a state agency shall complete a review of the operational aspects of the agency's information resources deployment following instructions developed by the department.

SECTION 4. Section 2157.007, Government Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A state agency *shall* ~~[may]~~ consider cloud computing service options, including any *security benefits and cost savings* associated with purchasing those service options *from a cloud computing service provider and from a statewide technology center established by the department*, when making purchases for a major information resources project under Section 2054.118.

(e) *Not later than November 15 of each even-numbered year, the department, using existing resources, shall submit a report to the governor, lieutenant governor, and speaker of the house of representatives on the use of cloud computing service options by state agencies. The report must include use cases that provided cost savings and other benefits, including security enhancements. A state agency shall cooperate with the department in the creation of the report by providing timely and accurate information and any assistance required by the department.*

SECTION 5. Sections 552.139(b)(4) and (b-1), Government Code, as added by this Act, apply only to a request for public information received on or after the effective date of this Act. A request received before the effective date of this Act is governed by the law in effect when the request was received, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2017.

Passed the Senate on April 3, 2017: Yeas 31, Nays 0; the Senate concurred in House amendments on May 26, 2017: Yeas 31, Nays 0; passed the House, with amendments, on May 19, 2017: Yeas 144, Nays 0, two present not voting.

Approved June 9, 2017.

Effective September 1, 2017.

## GOVERNMENTAL ENTITY CONTRACTING AND PROCUREMENT

### CHAPTER 556

S.B. No. 533

#### AN ACT

**relating to governmental entity contracting and procurement.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 572.069, Government Code, is amended to read as follows:

Sec. 572.069. CERTAIN EMPLOYMENT FOR FORMER STATE OFFICER OR EM-